

Lawrence Kornreich

### **2008 Liman Report**

This past summer, I interned at the Legal Action Center, a public interest law firm and policy organization whose mission is to fight discrimination against people with histories of addiction, HIV/AIDS, or criminal records, and to advocate for sound public policies in those areas. Working at the Legal Action Center, I learned a great deal about the criminal justice system in New York. Though I thought I knew how the criminal justice system worked in New York, I found out throughout the summer that when it came to collateral consequences of conviction, I actually knew very little.

During the summer, I learned that my own lack of knowledge in the area was not uncommon, even for many individuals who spend large portions of their lives in prisons and jails. Unsurprisingly then, much of the work that LAC engages in is educational, seeking to spread knowledge to those within the system, but also to those on the administrative side. My first project, in fact, was to help design a presentation on the voting rights in New York of those with criminal convictions to be used by the New York Division of Probation and Correctional Alternatives as a training tool for their officers. However, the presentation would also serve as an educational tool for those who came in to the probation offices, playing on loop while they waited. Creating the presentation, I not only helped educate probation officers and formerly incarcerated individuals, but also myself, as I came to know the laws in New York.

Every project that I worked on for the Legal Action Center allowed me to gain knowledge on the subject, while at the same time helping to spread that knowledge to a larger population. A large project at LAC revolves around obtaining, summarizing, and if needed, correcting, clients' criminal history records, known as rap sheets. Before June, I had never seen a

rap sheet, and I certainly did not know how to understand, let alone summarize the information contained on one. Nonetheless, beyond learning the basics of different conviction classifications (sealed and unsealed violations, misdemeanors, felonies, youthful offender status, etc.), I gained insight into the systemic problems associated with collecting and maintaining a permanent database of criminal histories in New York. Summarizing a rap sheet, I sought to find the ambiguities and errors, which though seemingly insignificant typographical mistakes, could have drastic effects on one's prospects for employment and housing.

There were many surprising aspects to my work with the rap sheets. On a most basic level, I found it surprising that the people who came into our office, though often quite familiar with the criminal justice system, having gone through it, did not know what was on their rap sheet. Furthermore, even if they had a sense of their previous convictions, many did not understand the consequences of such convictions for their job applications and public housing decisions. Nonetheless, what I learned through my internship was that knowing what is on one's rap sheet proves to be a difficult task, especially when one considers the various levels of convictions which have often never been explained to the client.

I was also able to see that the problems associated with rap sheets were not new and that, in fact, there were controversies going back at least thirty years. I spent part of the summer at the National Archives in New York, copying a federal case which I later summarized into a memo. The case, *Tatum v. Rogers*, focused on errors on rap sheets which during arraignments could lead a judge to give out a higher bail and thus have ramifications for conviction and sentencing. Due to the associations of bail and convictions, such errors, deemed to be systemic, were ruled to be a violation of the due process rights of the plaintiffs. The case resulted in certain changes which I was able to see each time I summarized a rap sheet, such as listing the disposition at the top of

the arrest cycle in the disposition column. Nonetheless, I also saw how though improvements abounded, there were still fundamental problems that affected the lives of our clients.

It is hard to pin point one specific moment of my summer which stands out more than any other. I found that every day I gained a different perspective and new information which helped craft my overall experience. Nonetheless, if I had to tease out one experience, I would say that it was on a day in which I accompanied one of the paralegals and a client to the Manhattan Supreme Court building in order to correct certain errors on the client's rap sheet. What I found memorable about that day was not the court itself, which I had seen before, but the demeanor of the client. Here was a middle-aged man with a hefty criminal record who had many reasons to simply give up, but who instead was very focused and excited about the possibility of cleaning up his criminal record so that he could have more assurance and security about his job. Here was someone who had gone through the system who we were helping in his attempts to reintegrate and to fully participate as a working citizen.

Throughout the summer, I attended many meeting in the office and out of the office in which I got the message that for those exiting our jails and prisons, the severe roadblocks to reentry were often too big to surmount. Looking through rap sheets and hearing the various speakers we encountered, including various judges, I got the sense that too many individuals got caught up in a routine of life that was hard to throw off, since the opportunities grew smaller with every cycle through the system. Nonetheless, spending that morning at the court with the client, I saw how our work could help an individual, but more importantly, how an individual could maintain hope and still find a way out if he or she is lucky.

There were too many experiences that I had this summer to mention each one individually. However, overall I learned that it is easy to take the perspective that criminal justice

ends with the verdict, but that it is after the disposition that the real cases often begin. I could not have found this internship without attending the Liman Foundation colloquium on public interest law in March, and I could not have done the internship without the support of the Liman Foundation.

As I emerge from my experience this summer, I turn to my new task of applying to law school this fall. I know that my experience this summer has helped me in my decision to become a lawyer and has also helped show me a new side of the law that I had not experienced before. As I move on, I am indebted to all those at the Legal Action Center who helped make my experience there so beneficial and rewarding.